

DATE: August 23, 2007

TO: CVRC Board Directors

VIA: David R. García, Chief Executive Officer
Scott Tulloch, Assistant City Manager



FROM: Ann Hix, Acting Community Development Director
Mary Ladiana, Planning Manager



SUBJECT: Public Hearing to consider design review application DRC-07-02 for the construction of a 24,585-square foot industrial building with a 2,000-square foot administrative office and associated site improvements at 144 27th Street in the southwest part of Chula Vista

Project Area:	Merged Chula Vista Redevelopment Project Area
Agreement:	None
Developer/Applicant:	Frank and Sons Paving, Inc.
Project Site:	144 27 th Street
Project Type:	Design Review Permit
Project Description:	<p>The proposed project consists of the construction of a 24,585-square foot multi-tenant industrial building with a 2,000-square foot administrative office and other site improvements at the site located at the northwest corner of 27th Street and Faivre Street.</p> <p>The proposed project concept plans are being presented to the Chula Vista Redevelopment Corporation for consideration and final approval.</p>

BACKGROUND

Several years ago, Frank and Sons Paving, Inc. (Applicant) purchased the site at 144 27th Street in the southwest part of Chula Vista as a way to expand its paving business operations. The site is currently undeveloped, except for the existence of a concrete slab over the majority of the site and two carports, and it has been used in the past for a variety

of industrial/commercial activities. The Applicant currently uses the site for the storage of construction equipment associated with the paving business activities. On July 12, 2006, the Applicant submitted to the City a design review application and concept plans for the full improvement of the site. This report describes the proposed project, provides an analysis of the project in relation to City regulations, and provides a staff recommendation.

ENVIRONMENTAL DETERMINATION

The proposed application has been reviewed for compliance with the California Environmental Quality Act (CEQA), and it has been determined that it qualifies for a Class 32 categorical exemption pursuant to Section 15332 (In-fill Development Projects) of the State CEQA Guidelines. Thus, no further environmental review is necessary.

RECOMMENDATION

That the Chula Vista Redevelopment Corporation adopt a resolution approving Design Review (DRC-07-02), subject to the conditions of Exhibit B attached to the CVRC Resolution.

BOARDS/COMMISSIONS RECOMMENDATIONS

The proposed project plans were presented to the Redevelopment Advisory Committee (RAC) for their review and public input at the meeting of October 12, 2006. While the RAC members considered that the construction of the proposed industrial building would be an improvement for the area, they expressed a number of concerns related to the site and building layout and requested that the applicant consider incorporating some design changes in addition to circulation modifications requested by city staff. Revised plans were submitted on April 30, 2007 and, following further review by city staff, the project was presented for a second and final RAC review on July 7, 2007. At this meeting, the RAC members found the project plans satisfactory and recommended that they be forwarded to the CVRC for consideration, subject to the following conditions:

1. Provide a trellis roof over the trash enclosures; and
2. Incorporate parapet walls to the buildings located at the property line.

These design recommendations have been incorporated into the project design and/or conditions of approval.

DECISION MAKER CONFLICTS

Staff has reviewed the property holdings of the CVRC Board and has found no property holdings within 500 feet of the boundaries of the property which is the subject of this action.

DISCUSSION

Site and Surrounding Land Use Designations

The subject property consists of two lots totaling 2.2 acres located at the northwest corner of Faivre Street and 27th Street, south of Main Street, north of the Otay River Valley, and west of Broadway (see attached locator map). The majority of the site is currently covered with a concrete slab and some unimproved areas. The site lacks standard improvements, such as sidewalks, curbs, gutters and streetscape along 27th Street and Faivre Street. The project site is zoned Light Industrial (I-L) and has a General Plan land use designation of Limited Industrial. The uses proposed by the Applicant are permitted uses in the I-L zone. Existing uses adjacent to the subject site are the following:

	General Plan Designation	Zoning Designation	Existing Uses
Site	Limited Industrial (IL)	Limited Industrial Precise Plan (ILP)	Construction equipment storage
North	Limited Industrial (IL)	Limited Industrial Precise Plan (ILP)	Mixed industrial uses/open storage uses/office building
East	Limited Industrial (IL)	Commercial Thoroughfare Precise Plan (CTP)	Vacant lot/produce market/parking lot
South	Limited Industrial (IL)	Limited Industrial Precise Plan (ILP)	Mixed industrial uses/open storage uses
West	Limited Industrial (IL)	Limited Industrial Precise Plan (ILP)	Mixed industrial uses/open storage uses

Project Description

The project proposes the construction of a new 24,585-square foot concrete shell building for use as light manufacturing and limited warehousing space (see attached project concept plans). The building will be divided into 11 suites, each with an approximate area of 2,200 square feet that would be occupied by individual tenants. The building will also include a 2,000-square foot mezzanine to serve as administrative office space for Frank

and Sons Paving, Inc. The building structure is centrally located on the site and is surrounded by parking and a driveway aisle.

The northeast corner of the site (approximately 22,669 square feet) would be used for parking and storage of trucks and construction equipment associated with Frank and Sons Paving, Inc operations. Two existing carport structures located along the northern property line are proposed to be improved and relocated to the western property line of the site. The plans also show two sets of trash enclosures, which are located next to each of the entrance driveways.

The proposed project includes the construction of the associated site improvements, such as access and circulation, parking, landscaping, and trash enclosures. Following is a brief description of these improvements.

Access and Circulation

The site has access from the two streets. The proposed site plan shows one driveway entrance on 27th Street and another on Faivre Street. The driveway on 27th Street is located close to the north property line and the driveway along Faivre Street is located near the west property line, putting both driveways at a significant distance from the intersection of 27th and Faivre Streets. The two driveway entrances are 30 feet wide and connect into a 24-foot driveway aisle that runs (in a U-shape) along the south, east and north parts of the site between the parking and the building. A rolling gate located on the north leg of the driveway aisle separates the equipment storage area from the rest of the site, and limits access only to traffic related to the paving and equipment storage area. A short driveway aisle is located on the north side of the building and provides access to parking located in that area of the site.

Parking

The proposed plans call for the construction of parking along the perimeter of the site and on the north side of the building. The total number of parking spaces provided is 72. Of these, 46 will be for the industrial tenants that will occupy the building and for the administrative office space; 17 spaces located along the north property line (west of the gate) will be for regular vehicles and 9 spaces (on the northwest side of the building) for large trucks associated with the paving and equipment storage use. The number of parking spaces provided (72 spaces) are more than the number required (54 spaces) by the Zoning Ordinance.

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Landscaping

A conceptual landscape plan was submitted with the application. The plan shows a well balanced combination of trees (palms, sycamores, magnolias, poplars, and coral trees), shrubs (New Zealand Flax, Bottlebrush, Honeysuckle, Indian Hawthorne, etc) and groundcovers (Trailing Gazania and Dwarf Fescue) that will be used to landscape the site. This landscape treatment is distributed around the perimeter of the site and around the building. A concrete block 6-foot wall (natural and gray color) will be located along the north and west property lines.

The two main functions of proposed landscaping are to beautify the site and to screen the parking areas from public view, particularly the truck and equipment storage area. The landscape plan shows approximately 11,500 square feet of landscaped area around the site. This represents approximately 12% of the site, which is consistent with the guidelines of the City's Landscape Manual. Final landscape and irrigation plans will be required to be reviewed and approved by the City Landscape Planner for compliance with the City Landscape Manual prior to issuance of building permits.

Street Improvements

As part of the development of the site, the Applicant will be required to consolidate the two lots that currently make up the 2.2-acre site, and dedicate approximately 19 feet along 27th Street and 16 feet along Faivre Street for street widening purposes. In addition, the Applicant will be required to construct the standard street improvements, such as sidewalks, curbs, gutters and missing street paving in front of the subject property on 27th and Faivre Streets.

ANALYSIS

Development Standards

The proposed multi-tenant industrial building, with the administrative office space, as well as the proposed storage of construction equipment are permitted uses in the limited industrial zone. Thus, the uses are consistent with the land use designations of the General Plan and the Zoning Ordinance.

The proposed plans were evaluated using the Limited Industrial zone (CVMC 19.44) development standards, as well as the guidelines of the City's Design and Landscape Manuals. The table below details the required development standards and the proposed project standards:

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Assessor's Parcel Numbers:	622-140-29, 35
Current Zoning	IL-P Limited Industrial – Precise Plan
General Plan	IL Limited Industrial
Site Area	2.2 acres
Maximum Site Coverage Permitted	50%
Proposed Building Coverage	25% of site
DEVELOPMENT STANDARDS: REQUIRED	PROPOSED
Setbacks: Front Yard: 20 feet Exterior Side Yard: 15 feet Rear Yard: 0 feet	57 Feet 57 feet 92 feet
Parking required (per CVMC 19.62.050): Wholesale/warehousing: 1/1000 sq. ft. = 25 Administrative office: 1/300 sq. ft. = 7 Truck/equipment storage: 1/1000 sq. ft. = 22 Total required: 54 spaces	Parking provided: Warehousing/office: 46 spaces Truck/equipment storage: 26 spaces Total provided: 72 spaces
Building height permitted: Three and one-half stories or 45-feet	Proposed building height: Two stories or 35 feet

Building Design

The proposed building has a contemporary industrial design, using stained concrete tilt-up panels combined with metal siding. Steel canopies will be located above the entrances to the building suites and above the windows of the mezzanine. Rocky-gray standing-seam metal roofing will be used on the sloping structures. The proposed building height ranges from 20 feet to 35 feet. The mezzanine, located at the southeast corner of the building, would be approximately 14 feet above the main one story building. Proposed colors include blue tones with galvanized corrugated metal accents to match the roll-up doors and details at the suite entrances. Storefront systems will be composed of black aluminum and green-tinted glazing.

The guidelines for industrial development in the City's Design Manual are intended to:

Encourage projects which respect the character and scale of adjoining developments, with particular attention to sites in older, mixed-use areas, and sites which adjoin residential neighborhoods or other uses which may be particularly sensitive to the scale and impacts of industrial development. (CVDm p. IV-1).

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The proposed building represents a significant improvement for the area, which is characterized by older, non-descript buildings that have been added without regard for order, function or appearance. The proposed new building is consistent with the character of an industrial area and the scale of existing buildings. The building style and use of materials, such as concrete panels, aluminum siding, and metal roll up doors, give the building an industrial look that is not dissimilar with the industrial character of the area. By creating height variations throughout the structure and keeping the building to two stories, the building stays within the scale of the surrounding structures.

Promote a functional and attractive arrangement of buildings, open spaces, parking, circulation and loading areas which are sensitive to the physical characteristics and constraints of the site, and which provide efficient and pleasant places to work. (CVDM p. IV-1)

The placement of the building in the center of the site and its relationship to parking creates a functional arrangement that provides appropriate access to the site and building by pedestrian and vehicular traffic. The positioning of the landscape materials around the site and around the building provide adequate screening of parked vehicles from public view and enhance the building's architecture.

Create a high quality of architectural and landscape design, with an emphasis on functional needs, reducing the apparent mass of large scale buildings, and screening and buffering loading, storage and working areas from incompatible land uses and from the public view. (CVDM p. IV-1)

The new industrial building provides a centrally located focal point for the site which does not currently exist. The existing condition is primarily concrete paving and dirt along the street frontage and interior of the lot. The new building would be designed with a variety of elements along its façade that are well articulated and create interest. The roof articulation and height variety throughout the structure reduces the mass of a building. The use of perforated metal canopies above the building entryways and contrasting color combination and metal roofing provides a high quality architectural appearance.

CONCLUSION

Staff's review and analysis found that the proposed project would be consistent with the development standards of the Zoning Ordinance and the design guidelines of the City's Design and Landscape Manuals. Additionally, staff believes the proposed project is well designed and will be a high quality addition to the area. The project will contribute to removing blighting influences and improving the area. Therefore staff recommends

approval of the proposed project, subject to the conditions contained in Exhibit B of the CRVC resolution.

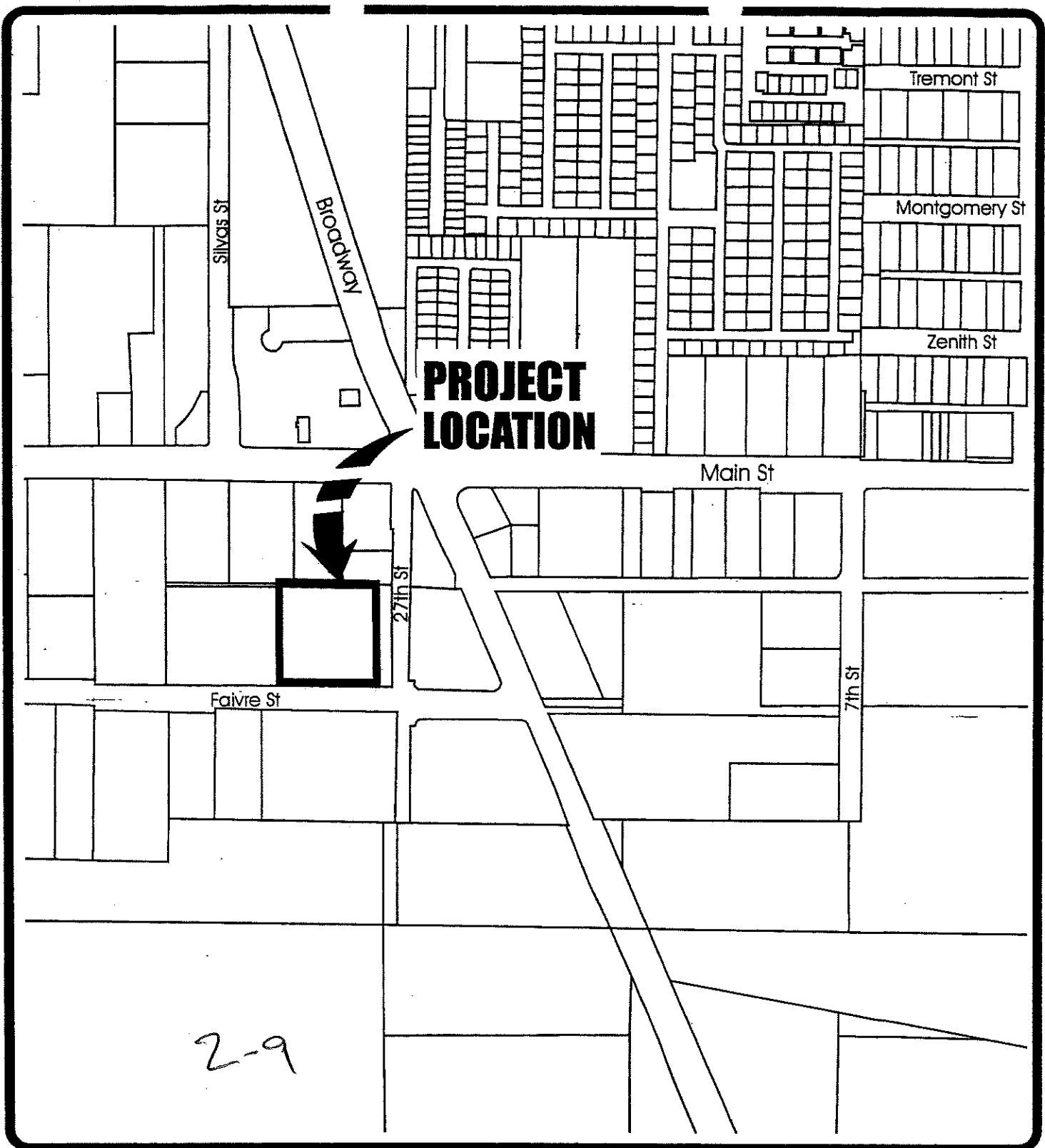
FISCAL IMPACT

The proposed project will create an increase in assessed valuation and the Redevelopment Agency will receive one percent of this increase as tax increment revenue. Of the one percent, the Agency will place 20% in the low and moderate income housing fund, and will give 20% to the County of San Diego, 7% to the Sweetwater Union High School District, 2% to Southwestern Community College, 1% to the San Diego County Office of Education, and 11% to the Chula Vista Elementary School District, leaving the Agency approximately 39% percent of the 1% increase in assessed valuation available for redevelopment activities. These pass-through percentages are applicable to the Southwest Project area only.

ATTACHMENTS

1. Locator Map
2. Development Application with the following appendices:
 - Appendix A - Project Description and Justification
 - Appendix B - Disclosure Statement
3. Project Concept Plans

PREPARED BY: Miguel Z. Tapia, Senior Community Development Specialist



CHULA VISTA PLANNING AND BUILDING DEPARTMENT

LOCATOR



NORTH

PROJECT APPLICANT: Frank & Sons Paving Inc.

PROJECT ADDRESS: 144 27th St.

SCALE: No Scale

FILE NUMBER: DRC-07-02

PROJECT DESCRIPTION:

DESIGN REVIEW

Project Summary: New multi-tenant industrial building for light manufacturing with one office.

Related cases: IS-07-001



Planning & Building Department

Planning Division

APPLICATION ■ DEVELOPMENT PROCESSING ■ TYPE A
Part 1

Type of Review Requested

- ☐ Conditional Use Permit
☒ Design Review
☐ Variance
☐ Special Use Permit (redevelopment area only)
☐ Misc. _____

STAFF USE ONLY

Case #: DRC-07-02
 Filing Date: 7-12-06 By: L. Stading
 Assigned Planner: R. Zumwalt
 Project Account: BL-793
 Deposit Account: 1358
 Related Cases: C06-0336

☐ Z.A. ☒ Public Hearing

Application Information

Applicant Name: FRANK AND SONS PAVING, INC.
 Applicant Address: 1019 THIRD AVE., CHULA VISTA, CA 91911
 Contact Name: ANITA VASQUEZ Phone: 619-422-8322
 Applicant's Interest in Property (If applicant is not the owner, the owner's authorization signature at the end of this form is required to process this request.)
☒ Own ☐ Rent ☐ Other: _____
 Architect/Agent: DAVY ARCHITECTURE Address: 811 TENTH AVE., G.D., CA, 92104
 Contact Name: ENRIQUE RODRIGUEZ Phone: 619-238-3811 X.14
 Primary contact is: ☐ Applicant ☒ Architect/Agent Email of primary contact: ERODRIGUEZ@DAVYARCHITECTURE.COM

General Project Description (all types)

Project Name: VASQUEZ MULTI-TENANT INDUSTRIAL BUILDING Proposed Use: MANUFACT., INDUSTRIAL, OFFICE
 General Description of Proposed Project: CONC TILT UP SHELL BUILDING W/ CORROBORATED METAL SIDING, some site work.
 Has this project received pre-application review comments? ☒ Yes (Date: 2/6/06 & 4/10/06) ☐ No

Subject Property Information (all types)

Location/Street Address: 144 27TH ST., CHULA VISTA, CA
 Assessor's Parcel #: 622 140 2900 Total Acreage: 2.2 Redevelopment Area (if applicable): SOUTH WEST
 General Plan Designation: IL Zone Designation: ILP
 Planned Community (if applicable): N/A
 Current Land Use: LIMITED INDUSTRIAL - VEHICLE STORAGE LOT FOR FRANK & SON PAVING. Within Montgomery Specific Plan? ☐ Yes ☒ No

Proposed Project (all types)

Type of use proposed: ☐ Residential ☐ Commercial ☒ Industrial ☐ Other: _____
 Landscape Coverage (% of lot): 12% Building Coverage (% of lot): 25.6%

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Residential Project Summary - N/A

Type of dwelling unit(s): _____ Number of lots: _____

Dwelling units:

PROPOSED

EXISTING

1 Bedroom _____

2 Bedroom _____

3+ Bedroom _____

TOTAL _____

Density (DU/acre): _____ Maximum building height: _____ Minimum lot size: _____ Average lot size: _____

Parking Spaces:

Required by code: _____ Provided: _____

Type of parking (i.e. size; whether covered, etc.): _____

Open space description (acres each of private, common, and landscaping): _____

Non-Residential Project SummaryGross floor area: 24,585 S.F. w/ 2,000 S.F. MEZ. Proposed: _____ Existing: N/A Building Height: 38' Max Point.Hours of operation (days & hours): 8-5 M-F - UNKNOWN PM SHOUAnticipated number of employees: 6 Maximum number of employees at any one time: 7Number and ages of students/children (if applicable): N/A Seating capacity: --

Parking Spaces:

Required by code: 39.5 Provided: 40Type of parking (i.e. size; whether covered, etc.): 9'x18' w/ 1' overhang - NOT COVERED.AuthorizationPrint applicant name: ENRIQUE RODRIGUEZApplicant Signature: [Signature]Date: 6.19.06Print owner name*: ANITA & FRANCISCO VAREZ

Owner Signature*: _____ Date: _____

*Note: Proof of ownership may be required. Letter of consent may be provided in lieu of signature.

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APPLICATION APPENDIX A

Project Description & Justification

Project Name: VAREQUEZ MULTI-TENANT INDUSTRIAL BLDG.

Applicant Name: _____

Please fully describe the proposed project, any and all construction that may be accomplished as a result of approval of this project, and the project's benefits to yourself, the property, the neighborhood, and the City of Chula Vista. Include any details necessary to adequately explain the scope and/or operation of the proposed project. You may include any background information and supporting statements regarding the reasons for, or appropriateness of, the application. Use an addendum sheet if necessary.

For all Conditional Use Permits or Variances, please address the required "findings" as listed in the Application Procedural Guide.

THIS PROJECT WILL CONSIST OF A NEW 24,585 S.F. CONC. SHELL BUILDING FOR USE OF LIGHT MANUFACTURING, LIMITED WAREHOUSE & OFFICE. W/ A 2000 S.F. MEZZANINE - OFFICE USE. THE SITE IS CURRENTLY PAVED AND WILL BE REQUIRED TO CUT AND REMOVE SOME PAVING @ THE BUILDING LOCATION. THE EXISTING UTIL. SITED - (CARPORT STRUCTURE) IS TO REMAIN. 22,669 S.F. OF THE LOT WILL BE USED FOR FRANK & SON PAVING EQUIPMENT. THIS PROPOSED NEWLY CONSTRUCTED BLDG. WILL SERVE AS THE NEW OFFICE FOR FRANK & SON PAVING - OWNER OF COMPANY & LAND. THIS STRUCTURE WILL MARK THE NEW BEGINNING FOR ALL ADJACENT NEIGHBORS TO FOLLOW. THE AREA IS FULL OF SCRAP PUSTED METAL, MODULAR (OUT DATED) STRUCTURES AND BY ERECTING THIS STRUCTURE, IT IS SURE TO ENHANCE THE CUMMER LOT OF 27TH & FAIRFAX.

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APPLICATION APPENDIX B

Disclosure Statement

Pursuant to Council Policy 101-01, prior to any action upon matters that will require discretionary action by the Council, Planning Commission and all other official bodies of the City, a statement of disclosure of certain ownership or financial interests, payments, or campaign contributions for a City of Chula Vista election must be filed. The following information must be disclosed:

1. List the names of all persons having a financial interest in the property that is the subject of the application or the contract, e.g., owner, applicant, contractor, subcontractor, material supplier.

Alicia Valquez
Francisco Valquez

2. If any person* identified pursuant to (1) above is a corporation or partnership, list the names of all individuals with a \$2000 investment in the business (corporation/partnership) entity.

N/A

3. If any person* identified pursuant to (1) above is a non-profit organization or trust, list the names of any person serving as director of the non-profit organization or as trustee or beneficiary or trustor of the trust.

N/A

4. Please identify every person, including any agents, employees, consultants, or independent contractors you have assigned to represent you before the City in this matter.

N/A

5. Has any person* associated with this contract had any financial dealings with an official** of the City of Chula Vista as it relates to this contract within the past 12 months. Yes ___ No ___

N/A

If Yes, briefly describe the nature of the financial interest the official** may have in this contract.

6. Have you made a contribution of more than \$250 within the past twelve (12) months to a current member of the Chula Vista City Council? No ___ Yes X If yes, which Council member?

Rudy Romo

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7. Have you provided more than \$340 (or an item of equivalent value) to an official** of the City of Chula Vista in the past twelve (12) months? (This includes being a source of income, money to retire a legal debt, gift, loan, etc.)
Yes ___ No X

If Yes, which official** and what was the nature of item provided?

N/A

Date: 7/7/06


Signature of Contractor/Applicant

Alicia Vasquez
Print or type name of Contractor/Applicant

- * Person is defined as: any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver, syndicate, any other county, city, municipality, district, or other political subdivision, -or any other group or combination acting as a unit.
- ** Official includes, but is not limited to: Mayor, Council member, Planning Commissioner, Member of a board, commission, or committee of the City, employee, or staff members.

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CVRC RESOLUTION NO. 2007-

RESOLUTION OF THE CHULA VISTA REDEVELOPMENT CORPORATION APPROVING DESIGN REVIEW PERMIT (DRC-07-02) FOR THE CONSTRUCTION OF A 24,585-SQUARE FOOT INDUSTRIAL BUILDING WITH A 2,000-SQUARE FOOT ADMINISTRATIVE OFFICE AND THE ASSOCIATED SITE IMPROVEMENTS AT 144 27TH STREET IN THE CITY OF CHULA VISTA

WHEREAS, the parcel, which is the subject matter of this resolution, is represented in Exhibit A attached hereto and incorporated herein by this reference, and for the purpose of general description is located at 144 27th Street, Chula Vista; and

WHEREAS, on July 12, 2006 a duly verified application for a Design Review Permit (DRC-07-02) was filed with the City of Chula Vista on behalf of Frank and Sons Paving, Inc. ("Applicant") to allow the construction of a 24,585-square foot industrial building with a 2,000-square foot administrative office and the associated site improvements at the 2.2-acre site located at 144 27th Street ("Project"); and

WHEREAS, the application for the Design Review Permit (DRC-07-02) has been reviewed for compliance with the California Environmental Quality Act (CEQA) and based on this review the project qualifies for a Class 32 Categorical Exemption pursuant to Section 15332 (In-fill Development Projects) of the State CEQA Guidelines. Thus, no further environmental review is necessary; and

WHEREAS, a hearing time and place was set by the Chula Vista Redevelopment Corporation ("CVRC") for consideration of the Project and notice of said hearing, together with its purpose, was given by its publication in a newspaper of general circulation in the City, and its mailing to property owners and residents within 500 feet of the exterior boundaries of the property, at least ten (10) days prior to the hearing; and

WHEREAS, the Chula Vista Redevelopment Corporation held a duly noticed public hearing to consider said application at the time and place as advertised, namely August 23, 2007 at 6:00 p.m. in the Council Chambers, 276 Fourth Avenue, before the Chula Vista Redevelopment Corporation and said hearing was thereafter closed.

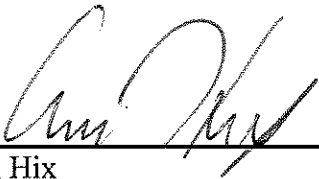
WHEREAS, the Project is in conformance with the City of Chula Vista Design Manual, Landscape Manual and the requirements of the Zoning Ordinance and staff has developed Design Review Conditions, provided as Exhibit B, to ensure the Project is developed and maintained subject to certain criteria.

NOW, THEREFORE, BE IT RESOLVED that the Chula Vista Redevelopment Corporation does hereby find, determine, and resolve as follows:

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The Chula Vista Redevelopment Corporation does hereby find that the Project is in conformance with the City of Chula Vista Design Manual, Landscape Manual and the requirements of the Zoning Ordinance and hereby approves the Design Review Permit (DRC-07-02), subject to conditions of Exhibit B.

PRESENTED BY



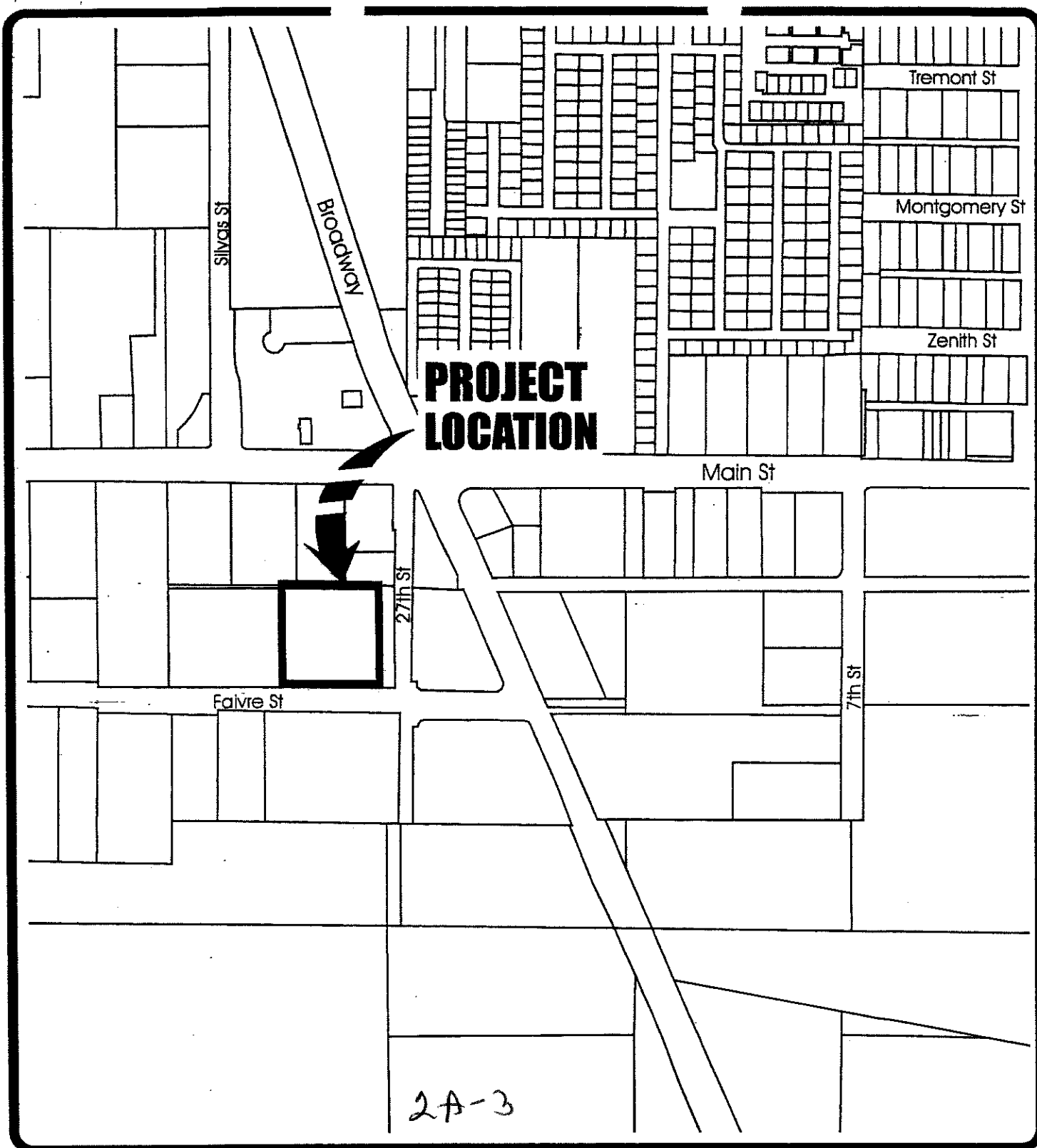
Ann Hix
Secretary

APPROVED AS TO FORM BY



for Ann Moore
General Counsel

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CHULA VISTA PLANNING AND BUILDING DEPARTMENT

LOCATOR



NORTH

PROJECT APPLICANT: Frank & Sons Paving Inc.

PROJECT ADDRESS: 144 27th St.

SCALE: No Scale

FILE NUMBER: DRC-07-02

PROJECT DESCRIPTION:

DESIGN REVIEW

Project Summary: New multi-tenant industrial building for light manufacturing with one office.

Related cases: IS-07-001

EXHIBIT B
Design Review Conditions of Approval
Multi-Tenant Industrial Building
144 27th Street

The Chula Vista Redevelopment Corporation does hereby approve Design Review Permit DRC-07-02 subject to the following conditions:

COMMUNITY DEVELOPMENT DEPARTMENT

1. The subject property shall be developed and maintained in substantial conformance with the approved application, plans, and color and material board, except as modified herein.
2. The proposed trash enclosures shall have a trellis roof that is consistent with the colors and materials of the rest of the enclosure.
3. Plans shall incorporate parapet walls on buildings/structures that are on the property line.
4. Applicant shall submit all exterior lighting plans, landscape and irrigation plans, solid waste and recycling plans for review and approval prior to the issuance of building permits.
5. All utility meters and closets shall be painted to match the colors of the building elevations or shall be screened appropriately from public view.
6. Identification signs shall be limited to those signs permitted by Section 19.60.400 and Section 19.60.410 of the Chula Vista Municipal Code (CVMC) and shall comply with the regulations stated therein.
7. A graffiti resistant treatment shall be specified for all wall and building surfaces and shall be noted on all building and wall plans prior to issuance of building permits.
8. The applicant/owner shall comply with all applicable federal, state, and local requirements, and in any case where it does not comply, this permit is subject to modification or revocation.
9. This permit shall become void and ineffective if not used or extended within one year from the effective date thereof, in accordance with Section 19.14.600 of the Municipal Code.
10. This permit shall be subject to any and all new, modified, or deleted conditions imposed after approval of this permit to protect the public from a specific condition dangerous to its health or safety or both due to the project, which condition(s) the City shall impose after advance written notice to the permittee and after the City has given the permittee the right to be heard with regard thereto. However, the City in exercising this reserved right/condition, may not impose a substantial expense or deprive permittee of a substantial revenue source which the permittee cannot, in the normal operation of the use permitted, be expected to economically recover.
11. The applicant shall and does hereby agree to indemnify, protect, defend, and hold harmless the City, its Council members, officers, employees, agents, and representatives from and against all liabilities, losses, damages, demands, claims, and costs, including court costs and attorney's fees (collectively, liabilities) incurred by the City arising directly or indirectly from a) City's approval and issuance of this permit, b) City's approval or issuance of any

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other permit or action, whether discretionary or non discretionary, in connection with the use contemplated herein, and without limitation, any and all liabilities arising from the operation of the facility. Applicant shall acknowledge their agreement to this provision by executing a copy of this permit where indicated below. The applicant's compliance with this provision is an express condition of this permit and this provision shall be binding on any and all of the applicant's successors and assigns.

Applicant and/or Property Owner Signature

PLANNING AND BUILDING DEPARTMENT CONDITIONS

12. All ground mounted utility appurtenances, such as transformers, AC condensers, etc., shall be located out of public view and adequately screened using a combination of concrete or masonry walls, grade contouring (berming), and landscaping to the satisfaction of the City.
13. Applicant shall provide grading plans with the submittal for building permits that shall contain on and off-site spot elevations and grading/drainage information.
14. Landscape Plans shall show and provide landscape drainage within required planter areas prior to the issuance of building permits. The Private Catch Basin design (C-2, Detail B) shall be replaced with a landscape drainage design prepared by the landscape architect.
15. Plans submitted for building permits shall contain a statement on the cover sheet indicating that this project will comply with Title 24 (2005 Energy Conservation and 2001 Disable Access Regulations).
16. The project shall comply with applicable codes and requirements, including but not limited to 2001 CBC, CFC, CMC, CPC, ADA, and 2004 CEC requirements.
17. Plans submitted for building permits shall specify Type of Construction, which shall be type V 1 hour fully sprinkled. Plans shall also identify rated corridors.
18. Applicant shall indicate on the plans the type of occupancy S-1 or S-2/F-1 or F-2, and the type of construction.
19. Applicant shall apply for and obtain separate permits for the trash enclosures, site lighting, and private water and sewer.

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ENGINEERING AND PUBLIC WORKS DEPARTMENT CONDITIONS

20. Plans shall incorporate, prior to the issuance of building permits, features to help meet NPDES Standards. These features shall maximize infiltration and minimize impervious land coverage while conveying storm water runoff. Examples of such design features include increased landscaping, grass swales, parking lot runoff into landscaped areas, roof runoff flowing into landscaped areas, etc.
21. The following fees shall be required based on the final building plans submitted:
- a) Sewer Connection and Capacity Fees
 - b) Development Impact Fees
 - c) Traffic Signal Fees
22. Additional deposits and fees in accordance with the City Subdivision Manual shall be required for the submittal of Grading Plans and Improvement Plans.
23. Grading plans in conformance with the City's Subdivision Manual and a grading permit will be required prior to issuance of any building permits. The grading plans shall be submitted to the Engineering Department upon the approval of the Design Review Permit, as follows:
- a) The grading plans shall be prepared by a registered civil engineer and approved by the City Engineer.
 - b) A drainage study and geotechnical/soils study are required with the first submittal of grading plans. The drainage study shall calculate the pre-developed and post-developed flows and show how downstream properties and storm drain facilities are impacted. Design should incorporate detention of storm water runoff if required.
 - c) The grading plans shall conform to the City Storm Water Management requirements.
 - d) Any offsite work will require letters of permission from the property owner.
24. Applicant/property owner shall dedicate right-of-way along 27th Street and Faivre Street to meet Industrial Street standards.
25. Applicant shall build the segment of 27th Street and Faivre Street in front of the subject property to Industrial Street standards.
26. The applicant shall obtain construction permits from the Engineering Department to perform the following work in City's right-of-way. An approved construction permit is required prior to Engineering releasing the Building Permit:
- a. Sewer lateral connections to existing public utilities. The Public Works Operations Sewer Section will need to inspect any existing sewer laterals that are to remain to determine if they require replacement.

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- b. Construction of non-monolithic curb, gutter, and sidewalk with proper transitions to existing conditions. Provide 4' landscaped parkway between curb and sidewalk to be maintained by the property owner.
 - c. Installation of driveways meeting design standards as shown in Chula Vista standard detail CVCS-IA.
 - d. All utilities serving the proposed project shall be underground.
 - e. Installation of pedestrian ramps meeting ADA standards.
 - f. Installation of a 150W HPSV street light per City Standards on the northeast corner of the intersection of Faivre and 27th Streets.
 - g. Public improvements for both Faivre and 27th Streets will be shown on the improvement plans and bonded for, although the improvements may be done in two phases depending upon the vacation of 27th Street.
27. Any onsite sewer and storm drain system shall be private. All sewer laterals and storm drains shall be privately maintained from each building to the City maintained public facilities.
28. The applicant/property owner shall provide reciprocal easements for access, parking and drainage for each parcel of the site, unless the two parcels are consolidated.
29. The applicant shall complete the applicable Storm Water Compliance Forms and comply with the City of Chula Vista's Storm Water Management Standards Requirements Manual. These forms shall be submitted with the grading plans. All projects falling under the Priority Development Project Categories are required to comply with the Standard Urban Storm Water Mitigation Plans (SUSMP) and Numeric Sizing Criteria. Based on the Completion of the Storm Water Compliance Forms, the project may be required to submit a SWPPP and Water Quality Technical Report (WQTR) with the submittal of the grading plans. The following items shall be incorporated in the grading plans and related reports:
- a. Grading Plans: The applicant is required to implement Best Management Practices (BMPs) to prevent pollution of the storm water conveyance systems, both during and after construction. Permanent storm water requirements shall be incorporated into the project design, and shall be shown on the grading plans. Any construction and nonstructural BMPs requirements that cannot be shown graphically must be either noted or stapled on the plans.
 - b. SWPPP and WQTR: Development of the project shall comply with all applicable regulations, established by the United States Environmental Protection Agency (USEPA) as set forth in National Pollutant Discharge Elimination System (NPDES) permit requirements for urban runoff and storm water discharge, and any regulations adopted by the City of Chula Vista pursuant to the NPDES regulations and requirements. Further, the applicant shall file a Notice of Intent (NOI) with the State Water Resource Control Board to obtain coverage under the NPDES General Permit for Storm Water Discharges Associated with Construction Activity and shall implement a Storm Water Pollution Prevention Plan (SWPPP) concurrent with the commencement of grading activities. The

SWPPP shall include both construction and post-construction pollution prevention and pollution control measures, and shall identify funding mechanisms for the maintenance of post-construction control measures.

- c. WQTR: The applicant is required to identify storm water pollutants that are potentially generated at the facility, and propose Best Management Practices (BMPs) that will be implemented to prevent such pollutants from entering the storm drainage systems. The WQTR will be required to demonstrate compliance with requirements of the National Pollutant Discharge Elimination System (NPDES) Construction and Municipal Permits, including Standard Urban Storm Water Mitigation Plans (SUSMP) and Numeric Sizing Criteria requirements, with the first submittal of grading/improvement plans, in accordance with the City's Manual.

30. Development of this project shall comply with all requirements of State Water Resources Control Board (SWRCB) NPDES General Permit No. CAS000002, Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Construction Activity. In accordance with said Permit, a Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan shall be developed and implemented concurrent with the commencement of grading activities. The SWPPP shall specify both construction and post-construction structural and non-structural pollution prevention measures. The SWPPP shall also address operation and maintenance of post-construction pollution measures, including short-term and long-term funding sources and the party or parties that will be responsible for the implementation of said measures.

A complete and accurate Notice-of-intent (NOI) must be filed with the SWRCB. A copy of the acknowledgement from the SWRCB that a NOI has been received for this project shall be filed with the City of Chula Vista when received. Further, a copy of the completed NOI from the SWRCB showing the Permit Number for this project shall be filed with the City of Chula Vista when received.

31. Pursuant to NPDES Municipal Permit, Order No. 2001-01, the proposed project is considered a Priority Development Project and therefore subject to the requirements of the Standard Urban Storm Water Mitigation Plans (SUSMPs) and Numeric Sizing Criteria. The applicant is required to complete the applicable forms (see City of Chula Vista's Development and Redevelopment Storm Water Management Requirements Manual) and comply with the Manual's requirements.
32. A Water Quality Technical Report is required to identify potential pollutants generated at the site during the post-development phase of the project and identify/propose appropriate structural and non-structural Best Management Practices (BMP's) to minimize discharge of such pollutants to the maximum extent practicable.
33. A hydrology study is required with the submittal of grading plans. Such study shall, in particular, demonstrate compliance with Section F.1.b.(2)(j) of the NPDES Municipal

Permit, Order No.2001-01, that requires the control of peak storm water discharge rates and velocities in order to maintain or reduce pre-development downstream erosion and protect stream habitat.

- 34. The proposed industrial development may require coverage under the NPDES General Industrial Permit. The applicant shall contact San Diego Regional Water Quality Control Board for further information.
- 35. The applicant is required to implement Best Management Practices to prevent pollution of storm drainage systems during the demolition phase of the project.
- 36. The proposed on-site drainage system shall be shown on the plans.

FIRE DEPARTMENT CONDITIONS

- 37. Applicant shall comply with all conditions of the Fire Department prior to the issuance of building permits.

GENERAL SERVICES DEPARTMENT CONDITIONS

- 38. The applicant shall develop and submit a Recycling and Solid Waste Management Plan to the Environmental Services Program Manager for review and approval prior to the issuance of building permits. The Plan shall demonstrate those steps the Applicant will take to comply with Municipal Code, including but not limited to Sections 8.24, 8.25 and 19.58.340 and meet the State mandate to reduce or divert at least 50% of the waste generated by all residential, commercial and industrial developments (including demolition and construction phases).
- 39. The applicant shall contract with the City's franchise hauler throughout the construction and occupancy phases of the project.
- 40. The applicant/property owner shall comply with the following and include language in all tenant lease agreements that if a tenant needs additional recycling services or trash service, beyond what is provided by the landlord in the enclosures, the tenants must make their own arrangements with the service provider and the containers need to be stored inside their respective units and only moved outside to the parking lot on service days.

OTHER CONDITIONS

Sweetwater Authority

- 41. Applicant/property owner shall submit a letter to the Authority from the appropriate fire agency, stating fire flow requirements, as well as a site plan, street improvement plans, irrigation plan, plumbing plan (showing total fixture-unit count), fire sprinkler plans and

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calculations (if new services are required). All services should be clearly shown and within Authority standards. The applicant/property owner must have the fire department sign and approve the fire hydrant location, as shown on the plans, and provide a copy of it to the Authority. Based on these requirements, the Authority will determine if there is a need for new water systems or substantial alteration to the existing water system. The applicant/property owner will work with the City to determine if the existing water facilities are adequate to meet the added demands, prior to issuing a building permit. Please note that any new water services installed to serve the proposed project will require the installation of backflow prevention assemblies. In the event that a fire protection system is required for this project, the Authority will require installation of an approved Double Check Detector Check Backflow Assembly on that system. Water facilities cannot be located within three (3) feet of the edge of driveway aprons. If the applicant/owner provides the required fire flow information, and enter into an agreement for water facility improvements with the Authority, water service can be obtained at a pressure ranging from a maximum of 93 psi to a minimum of 83 psi.

Chula Vista School Districts

42. Applicant shall comply with the conditions and requirements of the Chula Vista Elementary School District and the Sweetwater Union High School District.

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